

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

SFR SERVICES L.L.C A/A/O
PORTOFINO MASTER
ASSOCIATION, INC.,

Plaintiff,

v.

Case No: 2:21-cv-160-SPC-MRM

INDIAN HARBOR
INSURANCE COMPANY,

Defendant.

_____ /

OPINION AND ORDER¹

Before the Court is the parties' Joint Motion to Show Cause. ([Doc. 22](#)). Last week, the Court directed the parties to advise why they had disclosed no similar or related cases pending here or elsewhere. ([Doc. 21](#)). In doing so, the Court identified a similar case in which United States District Judge John L. Badalamenti denied a nearly identical motion to dismiss as Defendant brings here. ([Doc. 21 at 1-2](#)). The parties now "recognize that they should have advised the Court of Judge Badalamenti's prior decision on [the] substantially similar procedural motion to dismiss" and just inadvertently failed to do so.

¹ Disclaimer: Documents hyperlinked to CM/ECF are subject to PACER fees. By using hyperlinks, the Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide, nor does it have any agreements with them. The Court is also not responsible for a hyperlink's availability and functionality, and a failed hyperlink does not affect this Order.

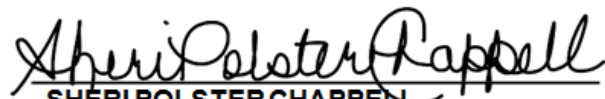
(Doc. 22 at 2). But the parties stop there. They offer no position on the applicability of Judge Badalamenti's decision to this case's identical motion. The Court thus requires more information.

Accordingly, it is now

ORDERED:

The parties are **DIRECTED** to file a supplemental legal memorandum, not exceed to **three** pages in length, that states the applicability of United States District Judge John L. Badalamenti's decision in *SFR Servs., LLC a/a/o Fairway Villas at Banyan Trace Condo. Assoc., Inc. v. Indian Harbor Ins. Co.*, No. 2:20-cv-583-JLB-NPM (M.D. Fla. Mar. 29, 2021) to this case on or before **May 11, 2021**.

DONE and **ORDERED** in Fort Myers, Florida on May 4, 2021.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record